

Message Text

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PAGE 01 STATE 086329
ORIGIN ARA-10

INFO OCT-01 ISO-00 PM-04 L-03 SS-15 H-01 DODE-00
DHA-02 CIAE-00 INR-07 NSAE-00 SSO-00 INRE-00
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DRAFTED BY ARA/ECA:RELTZ:RE
APPROVED BY ARA:CWBRAV
PM/SAS:RTITUS (DRAFT)
L/PM:TBOREK (DRAFT)
ARA/RPP:CFINAN (DRAFT)
T:SLEDOGAR (DRAFT)
ARA/ECA:RWZIMMERMANN(DRAFT)
H:HDGELBER (DRAFT)/OSD/ISA:DQUANT
P:DTICE
S/S:AWOTTO

-----171827Z 116373 /47

O R 171759Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY BRASILIA IMMEDIATE
INFO AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO
CHMN USDEL JBUSMC BRASILIA
CHMN USDEL JBUSMC RIO DE JANEIRO
USCINCSO

C O N F I D E N T I A L STATE 086329

E.O. 11652: GDS

TAGS: MASS, SHUM, VR, US

SUBJECT: BRAZILIAN TERMINATION OF MUTUAL DEFENSE ASSISTANCE
AGREEMENT AND RENUNCIATION OF SECURITY ASSISTANCE

REF:BRASILIA 2176; BRASILIA 2412

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 086329

1. DEPARTMENT CONCURS IN EMBASSY SUGGESTIONS THAT, IN ADDI-
TION TO EXCHANGES BEING HELD BY EMBASSY/USSAGE WITH HG, WE
ALSO SEEK TO EXPLAIN LEGAL IMPLICATIONS OF MARCH 4 AND 11
NOTES AND TO CLARIFY PRECISE GOB DESIRES VIA CONTACTS WITH
BRAZILIAN EMBASSY/MISSION PERSONNEL IN WASHINGTON. THIS
WAS DONE IN GENERAL TERMS BOTH TO AMBASSADOR AND DCM EARLY
ON, AND WE MADE LOW KEY OFFER TO EMBASSY APRIL 5 FOR

REVIEW OF "TECHNICAL" IMPLICATIONS. DCM AGREED TO "GET BACK IN TOUCH" RE OFFER AND TIMING, BUT TO DATE THERE HAS BEEN NO RESPONSE.

2. AFTER CONSIDERATION OF VARIOUS ALTERNATIVES, STRONG CONSENSUS DEVELOPED IN DEPARTMENT THAT MOST APPROPRIATE WAY TO INFORM CONGRESS OFFICIALLY OF POSITION TAKEN BY BRAZILIAN GOVERNMENT WAS THROUGH CONGRESSIONAL HEARING PROCESS. FOLLOWING, FOR EXAMPLE, IS TEXT OF "TAKEN" QUESTION AND SUBMITTED RESPONSE FROM UNDER SECRETARY BENSON'S MARCH 16 TESTIMONY BEFORE THE SUBCOMMITTEE ON FOREIGN OPERATIONS OF THE SENATE APPROPRIATIONS COMMITTEE:

BEGIN QUOTE: SENATOR INOUE. MRS. BENSON, BRAZIL HAS ABRUPTLY TERMINATED ITS MILITARY ASSISTANCE TREATY WITH THE UNITED STATES.

WHAT EFFECT WILL THIS HAVE ON OUR NATIONAL SECURITY?

WHAT EFFECT WILL IT HAVE ON BRAZIL?

WAS THE ADMINISTRATION CONSIDERING TERMINATING THE AID RELATIONSHIP WITH BRAZIL BECAUSE OF HUMAN RIGHTS ABUSES IN BRAZIL?

MRS. BENSON. THE BRAZILIAN GOVERNMENT HAS TAKEN TWO ACTIONS WITH RESPECT TO U.S. SECURITY ASSISTANCE.

THE FOREIGN MINISTRY STATED IN A NOTE DATED MARCH 4, 1977 THAT "THE BRAZILIAN GOVERNMENT REFUSES BEFOREHAND ANY ASSISTANCE IN THE MILITARY FIELD WHICH DEPENDS DIRECTLY CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 086329

OR INDIRECTLY ON PREVIOUS EXAMINATIONS BY AGENCIES OF FOREIGN GOVERNMENTS OF SUBJECTS WHICH BY NATURE ARE OF THE EXCLUSIVE COMPETENCE OF THE BRAZILIAN GOVERNMENT."

ON MARCH 11 THE FOREIGN MINISTRY FORMALLY NOTIFIED US OF BRAZILIAN INTENT TO TERMINATE THE 1952 MUTUAL DEFENSE AGREEMENT.

TERMINATION OF THE AGREEMENT WILL NOT ITSELF AFFECT BRAZILIAN ELIGIBILITY FOR FMS SALES OR FINANCING -- WHICH HAVE FORMED THE BULK OF OUR SECURITY ASSISTANCE PROGRAM WITH BRAZIL IN RECENT YEARS. IN ANY CASE, THE TERMINATION DOES NOT TAKE EFFECT, UNDER TERMS OF THE AGREEMENT, FOR A YEAR. DURING THAT TIME WE WILL BE TALKING WITH THE BRAZILIAN GOVERNMENT, AND THE BROADER AND LONGER TERM IMPLICATIONS OF BRAZILIAN ACTIONS SHOULD BECOME CLEARER. UNTIL WE HAVE CLARIFIED THE ISSUES AND INTENTIONS INVOLVED, I WOULD PREFER NOT TO SPECULATE ON THE POSSIBLE SECURITY CONSEQUENCES FOR US OR BRAZIL.

WE HAD NOT PLANNED TO CUT BACK FY 1978 SECURITY ASSISTANCE PROGRAMMED FOR BRAZIL ON HUMAN RIGHTS, OR OTHER, GROUNDS. THE PROPOSED PROGRAM FOR BRAZIL, AS FOR OTHER COUNTRIES, WAS DECIDED UPON AFTER ALL FACTORS, INCLUDING THE CURRENT HUMAN RIGHTS SITUATION, OUR HUMAN RIGHTS OBJECTIVES AND THE BROAD RANGE OF OUR NATIONAL INTERESTS WERE TAKEN INTO ACCOUNT. END QUOTE.

3. SIMILAR QUESTIONS REGARDING HUMAN RIGHTS-RELATED "RENUNCIATIONS" BY LATIN AMERICAN COUNTRIES HAVE COME UP IN OTHER TESTIMONY BY MRS. BENSON AND OTHER DEPARTMENT OFFICIALS. QUERIES USUALLY GROUPED COUNTRIES AND DEPARTMENT'S APPROACH HAS BEEN TO INDICATE THAT, AS WE FURTHER

CLARIFY INTENT OF COUNTRIES CONCERNED, WE WILL MAKE APPROPRIATE CHANGES IN BUDGET REQUEST.

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PAGE 04 STATE 086329

4. WITH RESPECT TO EXCLUSION OF BRAZIL FROM LEGISLATIVE PROCESS (REFTEL B): GIVEN TIMING AND PUBLICITY OF BRAZILIAN RENUNCIATION, THERE WAS, AND IS, NO WAY TO ASSURE THAT CONGRESSIONAL ATTENTION WILL NOT FOCUS ON BRAZIL IN COURSE OF REVIEWING SECURITY ASSISTANCE FOR FY 1978. BRAZILIAN ACTIONS UNDOUBTEDLY INCREASED CONGRESSIONAL INTEREST AND ANY ELEVENTH HOUR ATTEMPT BY DEPARTMENT TO "PULL BACK" PROGRAM PAGES OR HUMAN RIGHTS REPORTS FROM CPD WOULD HAVE FURTHER INTENSIFIED THIS. ON THE OTHER HAND, SINCE HUMAN RIGHTS REPORT HAS BEEN FURNISHED TO CONGRESS, THE PRE-REQUISITES IN THIS REGARD OF ANY FY 78 PROGRAM HAVE, IN FACT, BEEN MET. WHILE, AS INDICATED ABOVE, DEPARTMENT HAS STATED ITS INTENT TO AMEND BUDGET REQUESTS TO ELIMINATE PROGRAMS CLEARLY REJECTED BY THE VARIOUS "RENOUNCING" COUNTRIES, THIS IMPLIES FUNDED PROGRAMS (I.E. FMS CREDIT AND LOAN GUARANTEES AND IMET). UNLESS SUBSEQUENT RECIPIENT COUNTRY "CLARIFICATIONS" SPECIFICALLY RULE OUT FMS CASH PURCHASES ALSO, PROBABILITY EXISTS THAT NO CONGRESSIONAL ACTION WILL BE TAKEN TO ELIMINATE THIS OPTION.
CHRISTOPHER

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